GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Vijayawada Municipal Corporation – Allegations of irregularities allowing unauthorized constructions in Vijayawada Municipal Corporation, Krishna District - Departmental action initiated against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation - Inquiry conducted - Imposition of penalty of "withholding 5% pension for a period of three (3) years" under Rule-9 of A.P. Revised Pension Rules, 1980 – Orders – Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Rt.No.364 **Dated.01.04.2024.**

Read the following:

1. From the General Administration (V&E) Department, Vigilance Report No.41 (4171/V&E/Dev-II/D1/2012), dated.19.12.2014.
2. G.O.Rt.Nos.683, MA&UD (Vig.I) Dept., dated.12.10.2015.
3. WSD of Sri Ch.V.Satyanarayana, the then TPBO, dated 17.02.2016 received through the DTCP, Lr. Roc.No.2563/2015/V.Cell, dated 04.03.2016.
4. G.O.Rt.No.320, MA&UD (Vig.II) Department, dated.26.04.2019.
5. Inquiry Report received from Sri A.Lakshmana Rao, C.P., & Inquiry Officer, VMC, Rc.G2111725/2000, dated 11.06.2021 received through the DTCP, Lr. RoC.No.2563/2015/V.Cell, dated 09.07.2021.
6. Govt.Memo.No.18865/Vig.II/2014, dated.22.09.2021.
7. Written representation of Sri Ch.V.Satyanarayana, the then TPBO, dated 15.11.2021 received through the DTCP, Lr. Roc.No.2563/2015/V.Cell, dated 04.01.2022.
8. Show-cause Notice issued vide Govt.Memo.No. 18865/Vig.II/2014/A1(E-855193), dated 11.04.2023.
9. Explanation of Sri Ch.V.Satyanarayana, the then TPBO, VMC (now retired), dated 24.05.2023 received through DTCP, Lr. Roc.No.2563/2015/V.Cell, dated 05.06.2023.
10. Govt.Letter.No.18865/Vig.II/2014/A1(E-855193), dated.31.08.2023.
11. From the Secretary, A.P.P.S.C., Vijayawada, Letter No.GAD03-APPS0DCC/95/2023-DC.SEC-APPSC (Computer No.2220888), dt:05.12.2023.

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ORDER:

Based on the recommendations of Director General, Vigilance & Enforcement Department made in the reference 1st read above, Government initiated disciplinary proceedings by framing articles of charges under Rule – 20 of A.P.C.S (CC&A) Rules, 1991 on the allegations of allowing unauthorized constructions in Vijayawada Municipal Corporation, Krishna District, against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, with a direction to submit his written statement of defenses, vide reference 2nd read above.

2. In the reference 3rd read above, the DTCP, A.P. furnished the written statement of defence of charged officer. Having not convinced with the same, the Government appointed Sri A.Lakshmana Rao, City Planner, Vijayawada Municipal Corporation, as an Inquiry Officer to inquire into the charges framed against Sri Ch.V.Satyanarayana, the then TPBO (Now retired) and other Town Planning Official of Vijayawada Municipal Corporation vide reference 4th read above.

(P.T.O)

3. The Inquiry Officer conducted inquiry and submitted his report, in reference 5th read above, duly stating that all the four (4) charges framed against the C.O., are held proved .

4. Government after careful examination of the Inquiry Report, submitted by the Inquiry Officer, accepted the findings of Inquiry Officer and a copy of said inquiry report was communicated to the charged officer Sri Ch.V.Satyanarayana, the then TPBO (Now retired), Vijayawada Municipal Corporation, with a direction to submit his written representation, if any, on the findings of the Inquiry Officer, in terms of Rule 21 (2) of APCS (CCA) Rules, 1991 vide reference 6th read above.

5. In the reference 7th read above, the DTCP, A.P., has furnished written representation of Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation; wherein the charged officer stated that the building in the charge is situated in thickly built up area and it is a fact that practically there is a difficulty in enforcing the building rules and building owner paid all charges and penalties and requested to take a lenient view duly taking into consideration of practical difficulties in enforcing the rules. It is observed that the written representation of the charged officer is nothing but reiteration of points raised before the Inquiring Authority.

6. Government have examined the written representation of Charged Officer, keeping in view the findings of the Inquiry Officer and provisionally decided to impose a penalty of "withholding 5% pension for a period of three (3) years" against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, in terms of Rule-9 of AP Revised Pension Rules, 1980; as the delinquent officer had not brought into the notice of the higher authorities on the violation committed by the owner of the building and mere regularization under BPS cannot absolve the responsibility of the TPBO.

7. In the reference 8th read above, a show cause notice has been issued to Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation as to why the above said penalty cannot be imposed against him under Rule 9 of A.P. Revised Pension Rules, 1980. In reply, the Charged Officer submitted his explanation in the reference 9th read above and requested to drop further action against him. He has not put-forth any new grounds in his explanation for consideration.

8. After careful examination of the inquiry report, written explanation of the Charged Officer and after following due procedure, Government has decided to impose a penalty of "withholding 5% pension for a period of three (3) years" against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, as he had not brought into the notice of the higher authorities on the violation committed by the owner of the building and mere regularization under BPS cannot absolve the responsibility of the TPBO.

9. In the reference 10th read above, while furnishing the case details and entire record, the APPSC, Vijayawada, has been requested to convey their concurrence for imposing the penalty of "withholding 5% pension for a period of three (3) years" against the Charged officer, as per Rules in force. In the reference 11th read above, the Secretary, APPSC, Vijayawada, has informed that the Commission after thorough examination with regard to Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, opined that the proposed punishment is meager and not in conformity with the delinquency and advised to enhance to 10% permanently.

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10. Government have examined the matter; keeping in view of the advice of the A.P.P.S.C. and observed that the disciplinary authority has taken a provisional decision in imposing the penalty of "withholding 5% pension for a period of three (3) years" against Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, by taking into consideration of the gravity of charges, findings of Inquiring Authority, written representation of the charged officer, roles and responsibilities of all the charged officers and the proposed punishment of APPSC is very harsh and may leads legal litigations. Hence, it is decided that the provisional decision of the Government to impose the penalty "withholding 5% pension for a period of three (3) years" against Charged Officer Sri. Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation; holds good .

11. Accordingly, Government hereby impose a penalty of "withholding 5% pension for a period of three (3) years" against Charged Officer Sri Ch.V.Satyanarayana, the then TPBO (now Retd.), Vijayawada Municipal Corporation, under Rule-9 of A.P. Revised Pension Rules, 1980.

12. The Director of Town and Country Planning, A.P, Mangalagiri, shall take necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Y. SRILAKSHMI
SPECIAL CHIEF SECRTARY TO GOVERNMENT

To
Sri Ch.V.Satyanarayana, the then TPBO (now Retd.),
Vijayawada Municipal Corporation - **through** the DTCP, Mangalagiri.
The Director of Town & Country Planning, A.P., Mangalagiri.
Copy to:
The Secretary, A.P.P.S.C.
2nd Floor, MG Road ,Opp Indira Gandhi Municipal Stadium ,
New R&B Building M.G.Road Vijayawada, NTR District.
The Director General, G.A. (V&E) Department, A.P., Vijayawada.
The Secretary to A.P. Vigilance Commission, 5th Block, A.P. Secretariat.
SF / SC.

//FORWARDED BY ORDER//

SECTION OFFICER.